

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARK W. PATTON,)
)
 Plaintiff,)
)
v.) 1:17CV368
)
)
NANCY A. BERRYHILL,)
Acting Commissioner of)
Social Security,)
)
 Defendant.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on August 22, 2018, was served on the parties in this action. (Docs. 14, 15.) Plaintiff objected to the Recommendation (Doc. 16), and Defendant responded (Doc. 17).

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a *de novo* determination, which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Commissioner's decision finding no disability is AFFIRMED, that Plaintiff's Motion for Judgment on the Pleadings (Doc. 10) is DENIED, that Defendant's Motion for Judgment on the Pleadings (Doc. 12) is GRANTED, and that this action is DISMISSED with prejudice.

A Judgment dismissing this action will be entered contemporaneously with this Order.

/s/ Thomas D. Schroeder
United States District Judge

September 13, 2018